

**CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Council Chambers
310 N. 4th Street**

6:00 P.M.

AGENDA

Monday, February 1, 2010

REGULAR MEETING

CALL TO ORDER & ROLL CALL—COUNCILMEMBER YOUNG WAS ABSENT****

INVOCATION will be given by City Attorney Carl Cooper

PLEDGE OF ALLEGIANCE

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

1. APPROVAL OF MINUTES

The Regular Meeting minutes of January 19, 2010. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

2. APPOINTMENTS

Transit Advisory Commission (TAC)

The Transit Advisory Commission recommends appointment of William Laity to fill their vacant position, with a term expiration of November 2011. **MOTION TO APPOINT MR. LAITY WAS PASSED BY A VOTE OF 6-0**

3. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments should be limited to no longer than 3 minutes.

4. CONSENT AGENDA

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

a. Special Event Liquor License

The Kingman Elks Lodge #468 has applied for a special event liquor license for a “One Night Special Event, Old-timers Night” for February 20, 2010 at 301 N. 4th Street, Kingman, Az. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

b. Change Order No. 1 for Water Tank Construction and Restoration with Paso Robles Tank, Inc., Engineering contract ENG09-018

Paso Robles Tank is proceeding with the construction of a new tank at City Well No. 11 and restoration of the existing Beale Springs and Rancho Santa Fe tanks. After draining the Beale Tank, staff noted that the drain line and roof vent should be replaced. It was also noted that a

membrane for the new floor, which was called for on the bid plans, was not needed. Eliminating the membrane results in a savings to the City. Staff has also requested that ladder security gates be installed on the exterior of all three tanks. Paso Robles has requested a net change in the amount of \$1,818.68 to cover this work. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

c. Acceptance of Grant of Water Line Easement for the Water Line Construction on the Mohave County Adult Detention Center Site located at 501 State Route 66

Construction of the Mohave County Adult Detention Center at 501 State Route 66 requires the construction of a new onsite water line, installation of water meters and eight fire hydrants. These improvements are outside of the existing utility easements and right-of-way. Mohave County is offering to grant a water line easement for the new water line, water meters and fire hydrants. **Staff recommends that the Mayor be authorized to sign the Acceptance of the Grant of Water Line Easement. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

d. Consideration of Acceptance of a 20.00—foot Radius Curve at the Corner of Calumet Street and Swing Street Offered to be Dedicated with the Recording of a Parcel Plat.

Property owner, Delma Galliher trustee of the Galliher Family Trust, is offering the radius for roadway and utility purposes in conjunction with the recording of a parcel plat. **Staff recommends accepting the offer of dedication as described and authorize the Mayor to sign the offer of dedication on the subject parcel plat. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

e. Authorization to Purchase Right of Way (ROW) Needed for Construction of the North Bank Street ARRA project (ENG09-026)

The City of Kingman was granted \$500,000 in federal stimulus funding (ARRA: American Recovery and Reinvestment Act) for roadway improvements on N. Bank Street between Beverly Ave. and Airway Ave. in May of 2009, and approved Amendment One of the Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) on Jan. 19, 2010. One small triangular shaped area of right-of-way is needed at the south-west corner of the intersection of Bank Street and Fox Avenue in order to construct curb and pavement improvements around the intersection. The single property area owned by Silver Queen Motel, LLC will cost the City \$1,200.00 in Flood Control monies to purchase. The additional \$243.00 in Escrow and recording charges is included in the existing Purchase Order. **Staff recommends Council approve Staff to proceed with the purchase of the above right-of-way and authorization for the Mayor to sign the documents, including the Estimated Master Settlement Statement, Warranty Deed, and all sale escrow instructions documentation as needed for completion of the purchase. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

f. Authorization to Purchase Right of Way (ROW) Needed for Construction of the North Bank Street ARRA project (ENG09-026)

The City of Kingman was granted \$500,000 in federal stimulus funding (ARRA: American Recovery and Reinvestment Act) for roadway improvements on N. Bank Street between Beverly Ave. and Airway Ave. in May of 2009, and approved Amendment One of the Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) on Jan. 19, 2010. Five small triangular shaped areas of right-of-way are needed at the intersections of Bank St. and Fox Ave, Armour Ave, and Nelson Ave. in order to construct curb and pavement improvements

around the intersection areas. The five property areas, owned by Freiday Construction, LLC and B.A. Freiday, will cost the City a total of \$8,700.00 in Flood control monies to purchase. The additional \$168.00 in Escrow and recording charges is included in the existing purchase order. **Staff recommends Council approval for staff to proceed with the purchase of the above right-of-way areas and authorization for the Mayor to sign the attached documents including the Estimated Master Settlement Statement, Warranty deeds, and all sale escrow instructions documentation as needed for completion of the purchases. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

g. Acceptance of Three Public Utility Easements for Waterline and Fire Hydrants along Hafley Drive.

Toby Orr and Scott Preston recently installed a water line in Hafley Drive. Improvements along Hafley Drive from Harvard Street to Painted Trail are outside of the existing public utility easements and right-of-way. Three property owners (Scott Preston, S. and D. Weisberg, and D. and A. Prince) along Hafley Drive are offering to grant public utility easements for the water line, new water meter, and fire hydrant. **Staff recommends that the Mayor be authorized to sign Acceptance statements for the Grant of Public Utility Easements. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

h. Ordinance No. 1673--City Code 2-16.1 Agenda

On July 6, 2009, the Council adopted Ordinance No. 1658 to adjust the time frame for the submittal of agenda items as well as when the agenda packet was to be published. After six months, it has been determined that this adjustment created a larger burden than anticipated. The Council directed staff to modify the City code back to the former submittal time frames. In no event shall any item be placed on the agenda that may violate ARS 38-431.02. **Staff recommends approval of Ordinance No. 1673. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0**

5. OLD BUSINESS

None

6. NEW BUSINESS

a. Economic Development Marketing Commission (EDMC) Funding Request

The EDMC's Shop Kingman subcommittee provided information for their proposed Valentine's Day initiative to EDMC at its January 8, 2010 meeting. The Shop Kingman subcommittee recommends utilizing Public Service Announcements, print advertising, advertising on various businesses' signage, and flyers, to promote their Valentine's Day "for those close to your heart shop close to home" campaign. The Shop Kingman subcommittee recommended that EDMC request \$800 from City of Kingman contingency funds to finance this initiative. In lieu of actual monies spent, donations from local businesses may also be made. **The EDMC voted 6-4 to recommend Council grant the funding for this initiative. MOTION TO APPROVE THE FUNDING WAS PASSED BY A VOTE OF 6-0**

b. Resolution No. 4657—Grant Application for the American Recovery and Reinvestment Act (ARRA) of 2010 for Transit Capital

The Transit Advisory Commission (TAC), at their quarterly meeting on January 20, 2010, approved the submittal of the American Recovery and Reinvestment Act (ARRA) grant of 2010 for transit capital purchase which require **NO LOCAL MATCH** of funds. These funds would be used for transit vehicles, misc. office furniture and office equipment, lighting for bus stops, surveillance and security upgrades, farebox replacements, etc. This grant is a 100% federal match. The expenditure will be recorded in the FY2010/2011 city budget and be reimbursed by ADOT after compliance with reimbursement guidelines. **Staff recommends Council approve the ARRA 2010 grant application and allow KART to proceed with the grant application process. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0 WITH COUNCILMEMBER GORDON RECUSING HERSELF**

c. **Resolution No. 4658—FY 2010/2011 Amended Grant Application for Section 5311 Rural Transit**

The Mayor & Council originally approved the FY2010/2011 Grant Application at their November 2, 2009 meeting. As a result of the new transit center location, a new driveway and turn-out is required for the Public Works Yard. The current driveway is a shared entrance by the Motor Vehicle Division of ADOT and the Public Works Yard of the City of Kingman. The Transit Advisory Commission (TAC), at their January 20, 2010 meeting, approved the additional capital for a new approved turn-out and driveway entrance for KART to the Public Works Yard. Because KART is required to establish and file for the grant in January 2010 for funding starting on October 1, 2010, KART will make adjustments to the actual grant application as required during the budget process. The City contribution for capital could be up to \$70,000 if funded at 20% or \$24,500 if funded at 7% ADOT will strive to allocate the 7% funding to KART; operations and administration \$313,511. The budget for KART for FY2010/2011 will reflect these contributions and budget figures. **Staff recommends that Council approve the FY2010/2011 amended Grant Application as recommended by the TAC and allow KART to proceed with the amended grant application process for FY 2010/2011 funding. MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0 WITH COUNCILMEMBER GORDON RECUSING HERSELF.**

7. **ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER**

If needed

ADJOURNMENT—MOTION TO ADJOURN WAS PASSED BY A VOTE OF 6-0

Posted_____by_____